

REMARKS:

Claim 22 is canceled herewith and claims 1, 8 and 18 are amended. After entry of this amendment, claims 1-19, 21 and 23 are pending in this application, of which claims 21 and 23 were previously allowed.

Applicants thank the examiner for the telephone interview of February 26, 2008. The prior art rejections of independent claims 1, 8, and 18 were discussed. In particular, Applicants suggested an amendment of independent claims 1, 8 and 18 to recite "a second solid bearing surface layer" in order to expedite allowance of this application. In this regard, newly cited U.S. Patent No. 5,452,520 to Raj et al. was discussed as well as the absence of the cited bearing surface layers in the art of record. Such amendment, support for which can be found throughout the specification and in the figures, was understood to have been acceptable to the examiner.

Rejection of claims 1-19 under 35 U.S.C. §103(a)

Claims 1-19 were rejected in the pending Office action as being unpatentable under 35 U.S.C. § 103(a). In particular, Claims 1-3 and 7 stand rejected over U.S. 4,439,699 to Brende et al. ("Brende") in view of newly cited U.S. 5,452,520 to Raj et al. ("Raj"). Claims 4-6 stand rejected over Brende in view of Raj and further in view of U.S. 3,149,255 to Trench ("Trench"). Claims 8-10 and 18 are rejected over U.S. Patent No. 6,157,100 to Mielke (hereinafter "Mielke") in view of Raj. Claims 11, 12, and 19 are rejected over Mielke in view of Raj and Trench. Claims 13 and 14 are rejected over Brende in view of Raj and U.S. 5,909,066 to Nanba et al. ("Nanba"). Claims 15-17 are rejected over Brende in view of Raj, Nanba and Trench.

The Office action concedes that none of the primary references discloses bearing surface layers as required by all of the claims. The Office action relies on Raj in this regard for its teaching that ferrofluid bands 30a, 30b can be used in a ferrofluid inclinometer to function "as bearings fixedly retained against magnet 27 by its magnetic field" (col. 3, ll. 37-40).

Without prejudice and without conceding that it is permissible to combine Raj with the primary references cited or that such suggested combinations disclose or suggest all of the claimed elements in the claims, Applicants amend independent claims 1, 8 and 18 to recite a

"second solid bearing surface layer" in order to expedite allowance of this application. The summary of the specification is likewise amended to clarify the claimed subject matter.

At least for the afore-mentioned reasons and as discussed in the telephone interview, none of the art of record, either alone or in combination, discloses or suggests the magnetic motors as recited in the claims, including a second motor assembly having a second solid bearing surface as recited in claims 1, 8 and 18 as amended. Accordingly, Applicants respectfully submit that independent claims 1, 8 and 18 and pending claims 2-7 and 13-17, claims 9-12, and claim 19 dependent respectively therefrom, at least by virtue of their dependencies, are patentable over the cited art.

CONCLUSION

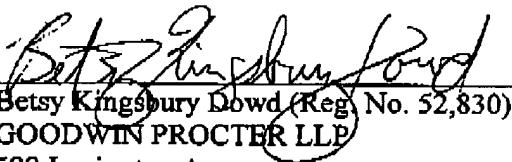
Applicants respectfully request entry of this amendment and reconsideration and allowance of the pending claims. In light of the foregoing, Applicants respectfully submit that all claims are now in condition for allowance.

Applicants submit authorization herewith for payment of fees accompanying a Petition for Extension of Time submitted herewith. It is believed that no additional fees are necessitated by the present Response. However, in the event that any fees are due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 06-0923.

If the Examiner believes that a telephone conversation with Applicants' attorney would expedite allowance of this application, the Examiner is cordially invited to telephone the undersigned attorney at the number provided below.

February 26, 2008

Respectfully submitted for Applicants,


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